

## Message Text

CONFIDENTIAL

PAGE 01 ATHENS 00839 301804Z

43

ACTION EUR-12

INFO OCT-01 ISO-00 L-02 SY-04 SS-15 SP-02 INR-07 PM-03

NSC-05 CIAE-00 INRE-00 NSCE-00 SSO-00 EURE-00 RSC-01

/052 W

----- 097925

O R 301700Z JAN 75

FM AMEMBASSY ATHENS

TO SECSTATE WASHDC IMMEDIATE 7229

INFO SECDEF WASHDC

AMCONSUL FRANKFURT

JCS

USCINCEUR

CINCUSNAVEUR

CMC WASHDC

NAV JAG WASHDC

JA MARINE CORPS

C O N F I D E N T I A L ATHENS 839

EO 11652: GDS

TAGS: ASEC AFSP MILI OGEN

SUBJECT: CASE OF MSG TELESFORO SANCHEZ

REF: A. STATE 21142

B. CINCUSNAVEUR 281520Z JAN 57 (NOTAL)

1. IN ACCORDANCE WITH PARA 1 REF A, THE PRE-TRIAL INVESTIGATION UNDER USMJ IS GOING AHEAD. DEPARTMENT SHOULD BE AWARE, HOWEVER, THAT IT IS LIKELY THAT PRESS STORIES WILL RESULT FROM NECESSARY CONTACTS BY INVESTIGATING OFFICERS WITH GREEK NATIONALS INVOLVED IN THE CASE. IF SO, WE MIGHT THEN SUFFER MUCH OF THE ADVERSE LOCAL REACTION TO A DECISION TO PROCEED WITH A TRIAL UNDER UCMJ WITHOUT HAVING TAKEN SUCH A DECISION.

2. IN THE EVENT WE ARE QUERIED BY THE PRESS, WE INTEND TO CHARACTERIZE THE UCMJ INVESTIGATION AS CONCURRENT  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 ATHENS 00839 301804Z

WITH THE GREEK LEGAL INVESTIGATION AND WITHOUT

PREJUDICE TO ANY POSSIBLE USG DECISION TO WAIVE SANCHEZ IMMUNITY.

3. ALTERNATIVELY, IF THE DEPT IS PREPARED TO CONCUR IN THE AMBASSADORS RECOMMENDATION NOT TO WAIVE IMMUNITY IN THE SANCHEZ CASE, THEN WE WOULD ATTEMPT TO FORESTALL AT LEAST SOME OF THE ADVERSE REACTION WITH A STATEMENT EXPLAINING THAT SANCHEZ, ALTHOUGH ENTITLED TO DIPLOMATIC IMMUNITY, WAS NOT IMMUNE FROM JUDICIAL PROCEEDINGS; THAT HE IS SUBJECT TO THE UCMJ AS A MEMBER OF ONE OF AMERICA'S ARMED SERVICES; AND THAT WE EXPECT THAT HE WILL BE TRIED SOON AND WE WILL REQUEST THAT A GREEK MAGISTRATE BE PRESENT. WE WOULD BE PREPARED TO ANSWER QUESTIONS ON COURT MARTIAL PROCEDURES IN CONSIDERABLE DETAIL IN HOPES OF CREATING SOME UNDERSTANDING OF (ALTHOUGH WE COULD NOT ANTICIPATE SYMPATHY FOR) OUR COURSE OF ACTION.

4. WE FIND THE CONSIDERATIONS ADVANCED BY CINCUSNAVEUR (REF B) AGAINST THE POSSIBILITY OF HOLDING A COURT MARTIAL ON A HOMEPORTRATED DESTROYER PERSUASIVE. WE PERCEIVE AS SET FORTH BELOW THREE OTHER POSSIBILITIES FOR A COURT MARTIAL VENUE:

A. A LAND LOCATION WITHIN GREECE, BUT US-CONTROLLED, SUCH AS (1) NAVCOMSTA NEA MAKRI, (2) ATHENAI AB, OR (3) EMBASSY CHANCERY;

B. A US NAVY SHIP, SUCH AS AN AUXILIARY, WITH MORE SUITABLE SPACES OF FACILITIES FOR A COURT MARTIAL WHICH MIGHT BE BROUGHT TO THE ELEFSIS PIER OR ANCHORED NEARBY; AND

C. IN THE UNITED STATES OR A THIRD COUNTRY, SUCH AS ITALY OR SPAIN. EACH OF THESE HAS DEFINITE DRAWBACKS, INCLUDING SEVERE LOCAL PROBLEMS WITHIN GREECE IN SOME INSTANCES. ON BALANCE, THE NAVCOMSTA AT NEA MAKRI SEEMS TO US AT THIS POINT TO BE THE LEAST UNDESIRABLE. WE WILL MAKE A RECOMMENDATION LATER IF AND WHEN USG DECIDES TO PROCEED WITH COURT-MARTIAL.

5. IT APPEARS THAT THE INITIAL CONTACTS WITH GREEK WITNESSES CANNOT BE ARRANGED BEFORE MONDAY, FEB 3  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 ATHENS 00839 301804Z

AND THAT OUR RISK OR ADVERSE PUBLICITY WILL NOT ARISE BEFORE THAT TIME. SHOULD THE DEPT OPT FOR THE ALTERNATIVE APPROACH SET FORTH IN PARA 3 ABOVE, WE WOULD APPRECIATE GUIDANCE BY COB FEB 4.  
KUBISCH

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRIALS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 30 JAN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975ATHENS00839  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750034-0809  
**From:** ATHENS  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t1975018/aaaaagrij.tel  
**Line Count:** 112  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 21142  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 MAY 2003 by SmithRJ>; APPROVED <02 JUN 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CASE OF MSG TELESFORO SANCHEZ  
**TAGS:** ASEC, AFSP, MILI, OGEN, GR, (SANCHEZ, TELESFORO)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006